

1 JULIE SCHUMER, SBN 82814
2 Attorney at Law
3 PMB 120, 120 Village Square
Orinda, CA 94563
(925)254-3650
(505)466-6247 (fax)
4 juliesch@ix.netcom.com

5 Attorney for Petitioner
DAVID MICHAEL LEON
6

7 UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 DAVID MICHAEL LEON,) Case No. C07-5719 CRB
10 Petitioner,)
11 vs.)
12 JAMES A. YATES, Warden, et al.)
13 Respondents.) PROPOSED ORDER
14 _____)

15
16 IT IS HEREBY ORDERED that the Supplemental Points and
17 Authorities filed by respondent on September 3, 2008 are stricken and will not be
18 considered.

19 Or

20 IT IS HEREBY ORDERED that the Supplemental Points and
21 Authorities filed by respondent on September 3, 2008 will be considered by the
22 Court along with the response by petitioner contained in his opposition filed
23 September 5, 2008.

24
25 Dated:

26 CHARLES R. BREYER
United States District Court Judge
27
28